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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,914	12/21/2001	James Douglas Mollenkopf	CRNT-0022	5088

7590 10/04/2004

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46th Floor
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EXAMINER

POPE, DARYL C

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,914

Applicant(s)

MOLLENKOPF ET AL.

Examiner

DARYL C POPE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892).
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: 5/2/03.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Page 9 is missing, a duplicate of page 10 was received instead of Page 9.

Appropriate correction is required.

ART REJECTION:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-20,23-25, and 27-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown(5,949,327).**

-- In considering **claims 1-17**, the claimed subject matter that is met by Brown includes:

1) communicating the data signal on the electric power system is met(see: column 8, lines 1-9);

2) modifying the characteristics of the electric power system to reduce the data signal transmitted to an electrical component located on the electric power system is met by installation of the implementation of the conditioning unit(51,52A-52D, column 8, lines 12-35).

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3) the transmitting the data signal to a customer premise is met by the data being transmitted to a premises(48, column 8, lines 1-9).

4) the modifying comprising increasing an impedance imposed by the electrical component and the properties being increased by an inductor are met(see: column 8, lines 49-58);

5) the adding one or more ferrite cores to the power system is met(see: column 10, lines 1 et seq).

-- **Claims 18-20,23-25, and 27-42** recites subject matter that is met as discussed in claims 1-17 above, as well as:

1) the data source and transformer is met by the injection point(50) and transformer(44, column 8, lines 1-3);

2) the blocking device is met by the network conditioning units(51,52A-52D) including inductors.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 21-22, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown(5,798,913).**

-- In considering **claims 21-22, and 26**, since the system of Brown is designed to facilitate a customer premises, it would have been obvious that various data termination

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devices including but not limited to computing devices, faxes, telephones, televisions, appliances, etc would have received the data signals in the system of Brown, since use of these device are well known in a customer premises since they would have utilized electrical power in order to operate.

Furthermore, it would have been obvious that the data network would have been the Internet, since the Internet utilizes electrical power networks for communication, and as well provide signals to premises. All other claimed subject matter is met as discussed in claims 1-18 above.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C POPE whose telephone number is (571) 272-2959. The examiner can normally be reached on M-TH 8:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

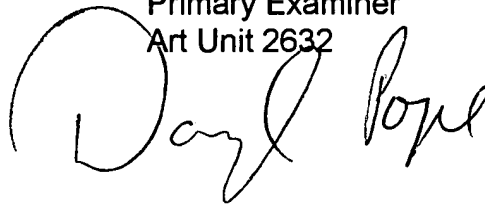
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Daryl C. Pope

Sept. 28, 2004

DARYL C POPE
Primary Examiner
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A handwritten signature in black ink, appearing to read "Daryl Pope", is written over the printed name and title.